

IN RE: PETITION FOR RESIDENTIAL  
ZONING VARIANCE  
NEC Chesapeake Road at  
Bay Drive  
1526 Chesapeake Road  
15th Election District  
5th Councilmanic District  
Carroll W. LeBrun, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-283-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for an Administrative Variance, seeking alternative relief. Specifically, the Petitioners request either a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a detached garage in the portion of the lot closest to the street and 22 ft. in height, in lieu of in the third of the lot farthest removed from the street and 15 ft. in height.

In the alternative, the Petitioners seek a variance from Section 1A04.3.B.3 of the B.C.Z.R. to permit a 6 ft. side yard setback and 36 ft. rear yard setback, in lieu of the required 50 ft. setback distances, to construct an attached garage. The alternative relief is requested in that the Petitioner submits that it is uncertain as to whether the proposed construction will be attached or detached from the existing dwelling. Based upon my inspection of Petitioners' Exhibit No. 1, the plat to accompany the Petition, I conclude that the proposed garage is, in fact, an attached structure. Therefore, the variance will be considered in context with a request for relief from Section 1A04.3.B.3.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation

presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Further, the Petitioners indicate that the proposed garage will be used to store a 30 ft. boat which will be mounted on a longer trailer. Thus, a 40 ft. width for the garage is necessary. As to the extra height, the Petitioners indicate that same is necessary so that the existing roof line of the dwelling and pitch of same will be identical to the proposed construction.

This property lies within close proximity to Middle River and is, therefore, subject to the Chesapeake Bay Critical Area legislation found within Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from struc-

-2-

tures or conveyances or that have run off from surrounding lands;

- 2) Conserve fish, wildlife, and plant habitat; and

3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of May, 1992 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the B.C.Z.R. to permit a 6 ft. side yard setback and 36 ft. rear yard setback, in lieu of the required 50 ft. setback distances, for an attached garage, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

-3-

reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. There shall be no service garage work performed within the structure or on the subject property at any time.

4. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated February 6, 1992, attached hereto and made a part thereof.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmm

ORDER RECEIVED FOR FILING  
Date 5/1/92  
By M. G. Smith

ORDER RECEIVED FOR FILING  
Date 5/1/92  
By M. G. Smith

ORDER RECEIVED FOR FILING  
Date 5/1/92  
By M. G. Smith

ORDER RECEIVED FOR FILING  
Date 5/1/92  
By M. G. Smith

-4-

Suite 113, Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-1886

April 30, 1992

Mr. and Mrs. Carroll LeBrun, Jr.  
1526 Chesapeake Road  
Baltimore, Maryland 21204

RE: Petition for Residential Zoning Variance  
Case No. 92-283-A

Dear Mr. and Mrs. LeBrun:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

"SEE ATTACHED"

of the Zoning Regulations of Baltimore County for the following reason: (indicate hardship or practical difficulty)

Since it is a corner lot, in order to store 8038fttboat on trailer inside, 40 ft. depth is necessary and the entire height, which will be used for storage is to match the height of the existing house.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Legal Owner(s):

(Type or print name)

(Signature)

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

(Type or print name)

(Signature)

Address

City

State

Zip Code

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this day of 1992, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.



REVIEWED BY: LG DATE: 4/29/92

ESTIMATED POSTING DATE: ESTIMATED CLOSING DATE:

ITEM # 301

AFFIDAVIT  
IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22 day of April, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

CHRISTINE J. LEBRUN and CARROLL W. LEBRUN JR.

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1-22-92

My Commission Expires: 10/01/1994

ADMINISTRATIVE VARIANCE  
1526 CHESAPEAKE ROAD

VARIANCE FROM §400.1 and §400.3 TO ALLOW A DETACHED GARAGE IN THE PORTION OF THE LOT CLOSEST TO THE STREET 22 FT. IN HEIGHT IN LIEU OF THE THIRD OF THE LOT FARTEST REMOVED FROM THE STREET AND 15 FT. HIGH

OR IN THE ALTERNATIVE  
VARIANCE FROM §1A04.3.B.3 TO ALLOW A 6 FT SIDE SETBACK AND 36 FT. REAR SETBACK IN LIEU OF 50 FT. REQUIRED TO CONSTRUCT AN ATTACHED GARAGE.

301

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 1274 Date of Posting: 1/14/92  
Posted for: Carroll W. LeBrun, Jr.  
Petitioner: Carroll W. LeBrun, Jr.  
Location of property: 1526 Chesapeake Road  
Location of Sign: 1526 Chesapeake Road  
Remarks: No survey or preliminary P.C. drawing  
Posted by: W. Carl Richards  
Number of Signs: 1

receipt

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

PAID BY CASHIER  
84 012705P001 73.00 \$60.00  
Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

JANUARY 28, 1992

(410) 887-3353

Carroll and Christine LeBrun  
1526 Chesapeake Road  
Baltimore, Maryland 21220

Re: CASE NUMBER: 92-283-A  
LOCATION: REC Chesapeake Road at Bay Drive  
1526 Chesapeake Road  
15th Election District - 5th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a referee regarding the administrative process.

1) Your property will be posted on or before February 9, 1992. The closing date is February 24, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmitt  
Lawrence E. Schmitt  
Zoning Commissioner, Baltimore County

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

February 5, 1992

(410) 887-3353

Mr. & Mrs. Carroll W. LeBrun, Jr.  
1526 Chesapeake Road  
Baltimore, MD 21220

RE: Item No. 301, Case No. 92-283-A  
Petitioner: Carroll W. LeBrun, et ux  
Petition for Administrative Variance

Dear Mr. & Mrs. LeBrun:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments  
Date: February 5, 1992 Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,  
W. Carl Richards  
W. Carl Richards  
Coordinator

JED:jw

Enclosures

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this  
23rd day of January, 1992.

Arnold Jablon  
DIRECTOR

Received By:

W. Carl Richards  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Carroll W. LeBrun, et ux  
Petitioner's Attorney:

JOHN J. PAMILLI ENGINEERING  
PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: February 20, 1992

Arnold Jablon, Director  
Zoning Administration  
and Development Management

DATE: February 4, 1992

This office has no comments for item numbers 298, 299, 300, 301, 302 and 303.

Rafael J. Famili  
Rafael J. Famili  
Traffic Engineer II

RJP/lvd

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: February 4, 1992

FROM: Gary L. Kerns, Chief  
Comprehensive and Community Planning  
Office of Planning and Zoning

SUBJECT: LeBrun Property, Item No. 301  
Jackson Property, Item 300  
Buell Property, Item 296  
Loncala Property, Item 291  
Knoll Property, Item 290  
Trustees Cedar Grove V.M. Church, Item No. 289  
Hoffman Property, Item 285  
Brooks Property, Item 283

In reference to the Petitioners' request, the staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Report prepared by:

Jeffrey Long

GLK/JL:rdn  
ITEM301/TXTROZ

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21204-5500

(301) 887-4500

JANUARY 31, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: CHRISTINE J. LEBRUN and CARROLL W. LEBRUN

Location: #1526 CHESAPEAKE ROAD

Item No.: 301 Zoning Agenda: FEBRUARY 4, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK



BALTIMORE COUNTY  
ECONOMIC DEVELOPMENT COMMISSION

Memorandum

TO: Julie Winiarski  
Office of Zoning Administration and  
Development Management

FROM: A. J. Haley, Deputy Director  
Economic Development Commission

DATE: January 29, 1992

RE: Zoning Advisory Comments for Meeting of February 4, 1992

This office has no comment for items 298, 299, 300, 301, 302, 303 and 304.

RECEIVED  
JAN 30 1992  
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 13, 1992  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for February 4, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 298, 300, 301, 302 and 303.

For Item 304, this site must be submitted for review and comments under the minor subdivision process.

For Item 298, a County Review Group Meeting will be required.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

February 6, 1992

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #301, Zoning Advisory Committee Meeting of  
February 4, 1992, Christine J. LeBrun & Carroll W. LeBrun, Jr.,  
NEC Chesapeake Road at Bay Drive (#1526 Chesapeake Road), D-15,  
Public Water and Private Sewer

COMMENTS ARE AS FOLLOWS:

Prior to approval of a building permit, an inspection of the septic system must be conducted by Ground Water Management personnel.

SSF:rmp

301.ZNG/GWRMP

RECEIVED  
FEB 10 1992  
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

DATE: April 1, 1992

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance - Item #301  
LeBrun Property  
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 1526 Chesapeake Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Christine J. and Carroll W. LeBrun, Jr.

APPLICANT PROPOSAL

The applicant has requested a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations to permit a detached garage in the portion of the lot closest to the street 22 feet in height in lieu of the third of the lot farthest removed from the street and 15 feet high, or in the alternative, a variance from Section 1A04.3.8.3 to allow a 6 foot side setback and 36 foot rear setback in lieu of 50 feet required to construct an attached garage.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." (COMAR 14.15.10.01.D)

Mr. Arnold Jablon  
April 1, 1992  
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" (Baltimore County Code, Section 26-447).

Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site.

2. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" (Baltimore County Code Section 26-449(a)).

Finding: No tidal waters, tidal wetlands, or tributary streams were found on this site or within 100 feet of this site.

3. Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot" (Baltimore County Code, Section 26-543(e)(1)).

Finding: The amount of impervious surface on this property shall not exceed 2,726 square feet or 25% of the lot. The proposed stone driveway shall be constructed of layered washed gravel or stone over a filter fabric base to assure a porous stone surface.

4. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland cover of at least 15%" (COMAR 14.15.02.04 C.(5)(e)).

Finding: This property currently contains at least 15% coverage in trees and shrubs. Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of ground water. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorus associated with them.

5. Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" (Baltimore County Code, Section 26-453(h)(2)).

Mr. Arnold Jablon  
April 1, 1992  
Page 3

Finding: Stormwater runoff shall be directed from impervious surfaces associated with this plan, to previous areas, to encourage maximum infiltration. Rooftop runoff from the proposed garage shall be directed through downspouts and into drywells to encourage maximum infiltration (see attached information).

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal does comply with Chesapeake Bay Critical Area Regulations and is, therefore, approved. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

*J. James Dieter*  
J. James Dieter, Director  
Department of Environmental Protection  
and Resource Management

JJD::ju

Attachment

cc: Mr. and Mrs. Carroll W. LeBrun, Jr.

LEBRUN/WQCBCA

RECEIVED  
APR 2 1992  
ZONING OFFICE

401 Bosley Avenue  
Towson, MD 21204

March 9, 1992

(410) 887-3733

Mr. and Mrs. C. LeBrun, Jr.  
1526 Chesapeake Road  
Baltimore, Maryland 21220

Dear Mr. and Mrs. LeBrun:

The Baltimore County Chesapeake Bay Critical Area Program has reviewed your request for a zoning variance, item #301. Your property is located in a Limited Development Area of the Chesapeake Bay Critical Area, and is therefore subject to the following regulations.

1. Regulation: "If a parcel or lot one-half acre or less in size was in residential use or zoned for residential purposes on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot" (Baltimore County Code, Section 26-543(e)(1)).
2. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland cover of at least 15%" (COMAR 14.15.02.04 C.(5)(e)).
3. Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" (Baltimore County Code, Section 26-453(h)(2)).

The Chesapeake Bay Critical Area Program is unable to approve the requested zoning variance because the proposed development will cause the impervious surface on this property to exceed the 25% limit by approximately 350 square feet. In order to approve the requested zoning variance, an additional 350 square feet of impervious surface must be removed from this site, and noted as such on the site plan. In addition, in order for a stone surface to be considered as a porous surface it must be constructed as layered washed gravel or stone over a filter fabric base. The type of construction for the stone surface area should be noted on the site plan. In order to comply with the stormwater management regulation, new rooftop runoff must be directed to drywells or seepage pits. The drywells must be shown on the site plan and located at least 10 feet from any structure. This property has enough existing tree and shrub coverage to meet the forest cover requirements.

Mr. and Mrs. LeBrun  
March 9, 1992  
Page 2

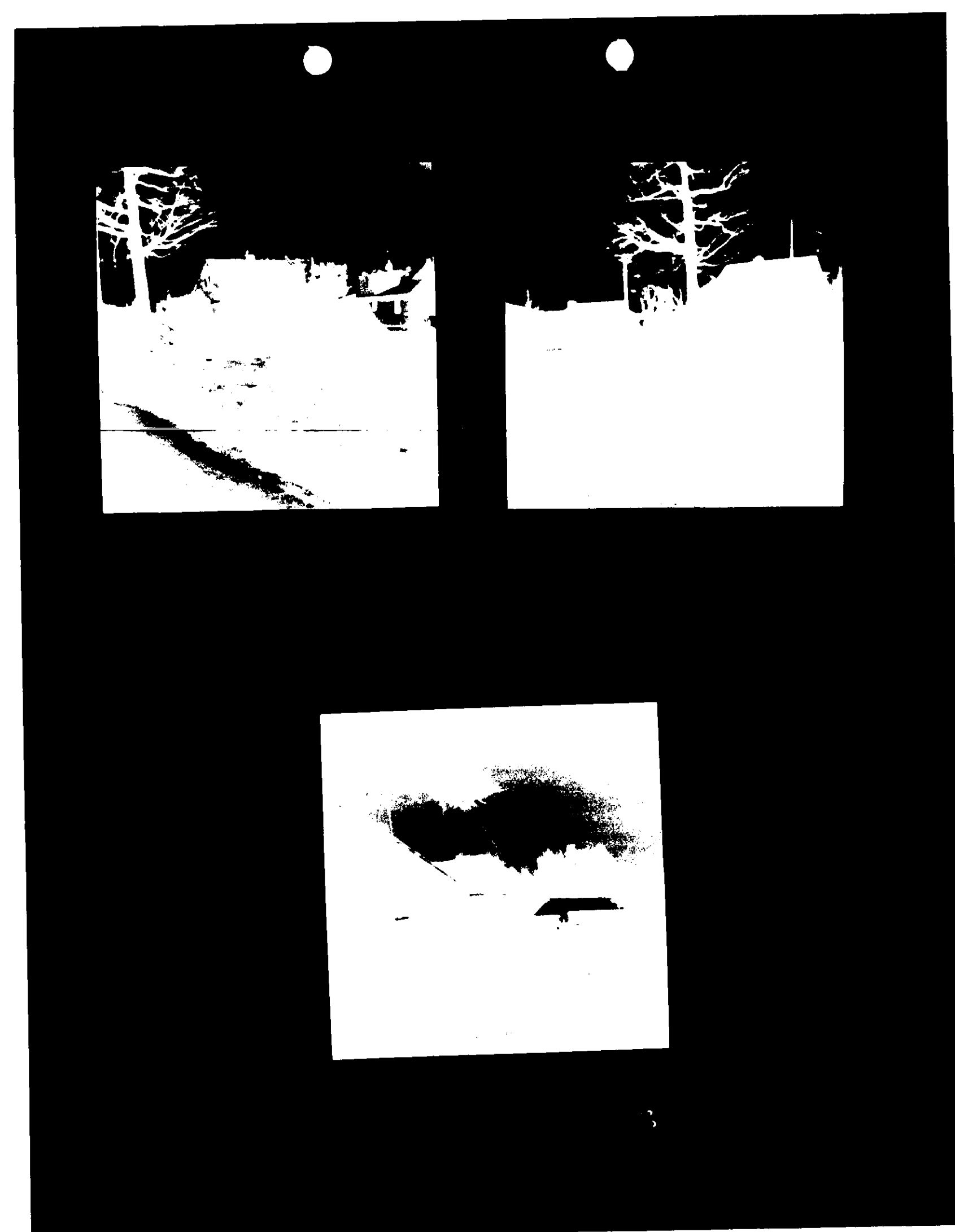
If you have any questions, please contact Ms. Susan Overstreet at 887-2904.

Sincerely,

*Patricia M. Farr*  
Patricia M. Farr  
Coordinator  
Chesapeake Bay Critical Area Program

PMF:SRD:ju  
cc: Mr. Arnold Jablon  
LEBRUN/WQCBCA

RECEIVED  
MAR 11 1992  
ZONING OFFICE



# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1524 Chesapeake Rd.

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Bowley's Quarters.  
 plat book# 9, folio# 56, lot# 7374, section#

OWNER: Carroll + Christine LeBrun Jr.

Hand-drawn site plan for 1524 Chesapeake Rd. The plan shows an existing dwelling (1 1/2 story, 22' high) with a wood deck. A proposed garage (11' x 22' high) is shown adjacent to the existing structure. A driveway (16' x 22' high) is located between the existing dwelling and the proposed garage. The plan also shows a wood deck (11' x 22' high) and a driveway (16' x 22' high). Dimensions for setbacks and lot areas are provided. A north arrow is located at the bottom left.

North  
 date: 11-22-98  
 prepared by: owner

Scale of Drawing: 1" = 20'

Vicinity Map showing the location of the property relative to Chesapeake Rd and Bay Drive. The map includes a north arrow and a scale of 1" = 1000'.

## LOCATION INFORMATION

Councilmanic District: 5  
 Election District: 5  
 1" = 200' scale map#: NE 1-L  
 Zoning: RC-5  
 Lot size: 0.27 acreage 11,785 square feet

public ☐ private ☒  
 SEWER: ☒ ☐  
 WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐  
 Prior Zoning Hearings: ☐

## Zoning Office USE ONLY!

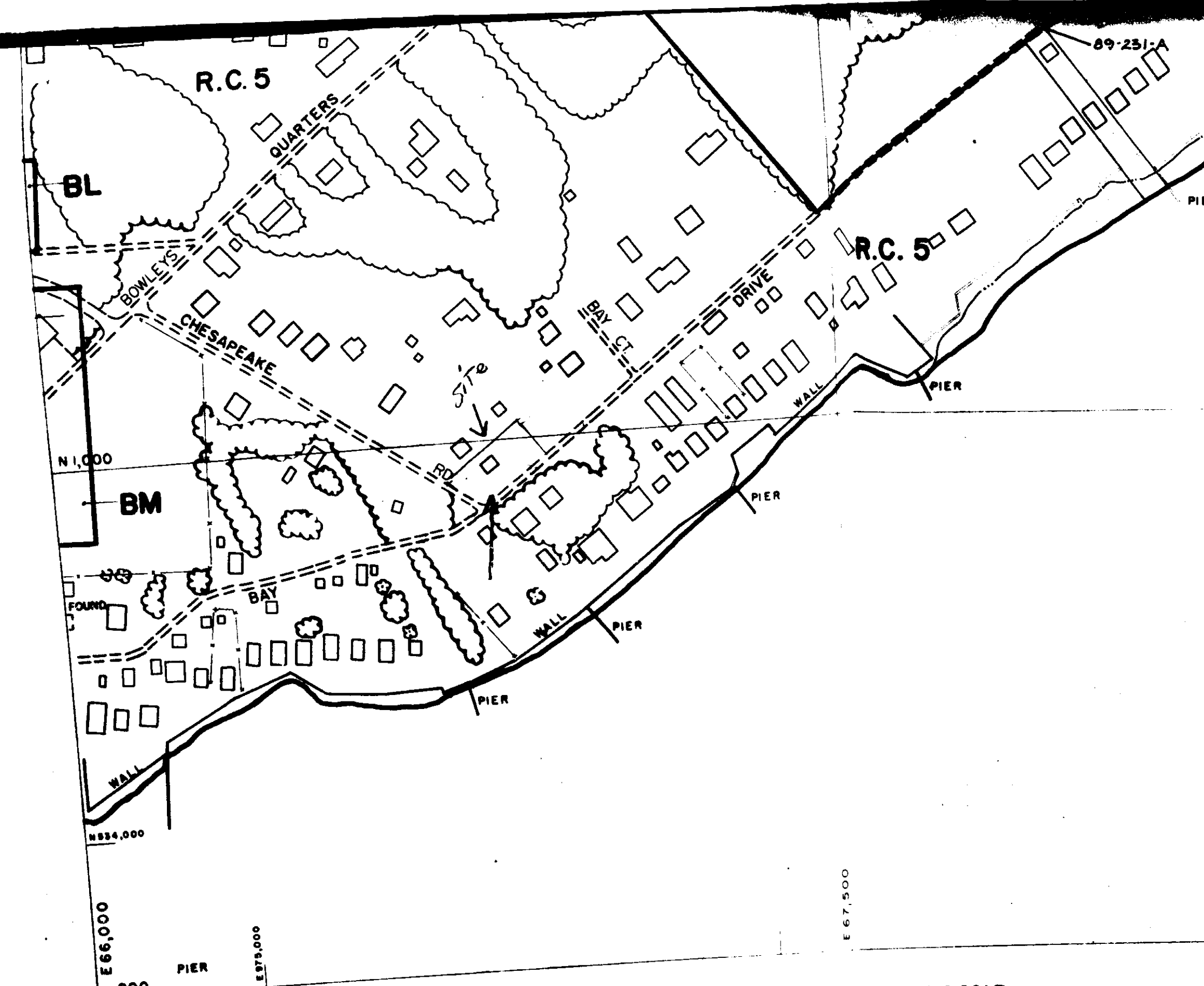
reviewed by: LG ITEM #: 301 CASE#:

98-283-4

92-283-A

301

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING



Z - SW  
ZZ - NW

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 13, 1988  
BMC Nos. 144-88, 145-88, 146-88, 47-88, 148-88, 149-88, 150-88  
*[Signature]*  
Chairman, County Council

## BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE 1" = 200' ±	LOCATION BOWLEYS QUARTERS	SHEET N E I-L
DATE OF PHOTOGRAPHY JANUARY 1986		

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